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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, March 23, 2021, at 11 a.m.

Senate

MONDAY, MARCH 22, 2021

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, who laid the foundations of the Earth, we worship You.

Lord, walk with our lawmakers throughout this day, inspiring them to submit to Your will. May they treasure Your instructions. May these instructions enable them to tune their ears to Your wisdom and concentrate on understanding Your precepts.

Give our Senators a hunger and thirst for Your knowledge as they strive to keep America strong. Lord, help them to remember that You give the treasure of good sense to the godly.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The Republican leader is recognized.

BIDEN ADMINISTRATION

Mr. MCCONNELL. Mr. President, on Thursday, the Biden administration officials had their first person-to-person meeting with representatives from the People's Republic of China. By diplomatic standards, the opening public exchange was tense. The belligerent grandstanding by PRC diplomats was, unfortunately, no surprise. It is what we have come to expect.

As China's military and economic might have grown, Beijing has found that the bullying tactics that people call their "wolf warrior" diplomatic strategy have often worked out for them. So I was glad the U.S. team used the opportunity to cut through the CCP's spin and tell some plain truths about China's regional bullying and disrespect for the rule of law, whether in Hong Kong or Tibet.

I am also glad the administration has sent U.S. personnel to join other diplomats in Beijing to protest the secret trial of Canadian citizen Michael Kovrig.

But like I said last week, calling out China rhetorically is just the first step. An effective U.S. strategy will require more than just tough talk and symbolism.

The PRC poses all matter of threats to the United States and to the free world. They want to control crucial sea lanes in the South China Sea. They

want to expand their capabilities to menace other countries' forces, including ours, with increasingly accurate long-range weapons. They want to rewrite the rules of the international system to suit their interests instead of ours and our friends.

These are hard and real challenges. Facing them down will require strength and resolve from the United States and from our partners. So like I said last week, if the administration is serious about staying tough on China and strengthening our hand, they will have support among Senate Republicans.

But any such serious strategy will need to start with maintaining and building up the backbone of our hard power—the competitive edge of the U.S. military. To defend America, defend America's interests, and deter adversaries, we need to sustain our military edge. And to sustain our edge, we need to modernize our forces and maintain our capability to project power.

Defense spending is the single most important policy lever available to us in our competition with China. The President's budget submission will tell Beijing a lot about whether the Biden administration intends to back up tough talk with actual strength.

Finally, whatever Congress may do to step up our game on China, it will be essential that it be bipartisan. The legislative components of national security should not swing wildly every time the gavels change hands.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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It is a perfect demonstration of why scrapping the 60-vote threshold for legislation would be catastrophic. For important bills to have a stable and lasting impact, they need broad bipartisan buy-in.

NOMINATION OF MARTIN JOSEPH WALSH

Mr. MCCONNELL. Mr. President, now, on a completely different matter, this afternoon the Senate will vote on the President's nominee to head the Department of Labor.

I will be voting against confirming Mr. Walsh. The Biden administration has already signaled they will ask him to implement a variety of policies that do not serve the long-term interests of American workers.

Unfortunately, it appears that won't just be the case at the Department of Labor but throughout the Democratic agenda.

One of the President's first acts in office was to kill thousands of American jobs, including union jobs, by canceling the Keystone XL Pipeline. Both, working Americans and domestic energy security, took a back seat to a leftwing signaling.

We are hearing that the next few months might bring a so-called "infrastructure" proposal that may actually be a Trojan horse for massive tax hikes and other job-killing, leftwing policies.

Remember, the House Democrats tipped their hand last year. They published a sprawling proposal that pretended to be a highway bill but was really just a multithousand-page cousin of the Green New Deal. It would have plowed unbelievable sums of money not into the kinds of big, practical projects that Americans even think of as "infrastructure" but also into their obsessive focus on climate policies to the exclusion of everything else.

Look, we know what kinds of policies are actually pro-job and pro-worker. We know what kind of agenda helps American workers build all-American prosperity up and down the income scale.

We know that because, just over a year ago, before the pandemic, 4 years of Republican policies had built one of the most inclusive and optimistic economies in modern history. Wages were growing faster at the bottom than at the top. Unemployment was at historic lows. American workers were a hot commodity and were getting compensated accordingly.

Pro-worker prosperity does not entail having Big Government politicians or Big Labor bosses micromanage every aspect of the economy to suit liberal fads. It means remembering what kind of pro-worker, pro-growth, pro-opportunity policies built the best job market in recent history right before this pandemic.

Those are the ideas and the solutions that were unlocking more money and more opportunities for American work-

ers before COVID-19 took the world by storm. And those are the ideas and solutions the American people elected 50 Republican Senators to fight for.

I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The majority leader.

ELECTING KAREN H. GIBSON AS SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 127, submitted earlier today.

The PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 127) electing Karen H. Gibson as Sergeant at Arms and Doorkeeper of the Senate.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 127) was agreed to.

(The resolution is printed in today's RECORD under "Submitted Resolutions.")

NOTIFYING THE HOUSE OF REPRESENTATIVES OF THE ELECTION OF A SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 128, submitted earlier today.

The PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 128) notifying the House of Representatives of the election of a Sergeant at Arms and Doorkeeper of the Senate.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 128) was agreed to.

(The resolution is printed in today's RECORD under "Submitted Resolutions.")

NOTIFYING THE PRESIDENT OF THE UNITED STATES OF THE ELECTION OF A SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 129, submitted earlier today.

The PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 129), notifying the President of the United States of the election of a Sergeant at Arms and Doorkeeper of the Senate.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 129) was agreed to.

(The resolution is printed in today's RECORD under "Submitted Resolutions.")

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Ms. DUCKWORTH). The majority leader is recognized.

WELCOMING KAREN H. GIBSON, SERGEANT AT ARMS

Mr. SCHUMER. Madam President, this is a great and historic day. A few weeks ago, I announced that LTG Karen Gibson would assume the responsibility as Senate Sergeant at Arms, becoming only the 42nd Sergeant at Arms in Senate history. I am very pleased this afternoon to make her appointment official, with her family watching on—her father David, her mother Rebecca, her sister Kathleen, her brother-in-law Daniel, her nephew Bennett, and her cousin Aaron.

Lieutenant General Gibson is taking on a really big job, and I know that her family could not be more proud of her.

The Senate Sergeant at Arms was established more than two centuries ago, when the U.S. Senate was still in its infancy. Back then, the primary duty of the Sergeant at Arms was essentially senatorial babysitting; recalcitrant Senators made finding a quorum a routine challenge. Today, the Sergeant at Arms is the Senate's chief administrative officer and chief law enforcement officer. They have enormous responsibility of keeping the trains running on time while, at the same time, keeping everyone, everyone in the Capitol safe.

Suffice it to say, Lieutenant General Gibson has a tall order, but I have every confidence that she will perform her duties at the same exemplary standards she set over the course of her three-decade military career.

As Senior Intelligence Officer in the Office of the Director of National Intelligence, Lieutenant General Gibson supported U.S. national security objectives in Iraq, Afghanistan, East Africa, Korea, the Pacific, and across the Middle East. Since January 6, she has been working with retired Army LTG Russel Honoré on a comprehensive review of the Capitol's security.

So given her background and given what she has done recently, I know she is ready to hit the ground running. Lieutenant General Gibson is ready to go, and her responsibility to ensure a safe working environment for Senators, visitors, Capitol employees, staff, and reporters she will take with the utmost of gravity and competence.

Joining her in the Office of Sergeant at Arms will be Kelly Fado, as Deputy Sergeant, and Jennifer Hemingway, as chief of staff, two trusted members of the Senate family.

This is a historic day in a second way. This will be the first time in the history of the Senate that the leadership of the Sergeant at Arms will be comprised entirely of women—another crack in the glass ceiling. And I cannot think of a better team than the one we have put together.

Congratulations to all three of them on officially starting their new roles today. And I know, Madam President, you are proud of that as well.

It is really a good day.

NOMINATIONS

Mr. SCHUMER. Madam President, next, another aspect of why this is a good day.

Tonight, the Senate will confirm Mayor Marty Walsh of Boston to serve as Secretary of Labor. The son of Irish immigrants, Mayor Walsh followed his father's footsteps in construction and joined the Laborers' Union Local 223 at age 21, eventually serving as its president before being elected mayor of Boston.

During his testimony here in the Senate, Mayor Walsh said it was by joining a union that his parents were able to climb up into the middle class and give their son a shot at a better life.

We have something in common. My grandfather came to the United States and became very involved with the labor movement. One day when he was 14, it was raining. He was looking for shelter. It was pouring. He had almost nowhere to live. He walked into the labor temple, where he heard Eugene V. Debs and Will and Ariel Durant give the annual address at that temple established by the A.F. of L. to teach the immigrants about the union movement. So we have that in common. Our grandfathers are immigrants—one from

Ireland, one from Eastern Europe, but both joined the labor movement, and it helped their family move up.

The Department of Labor is in desperate need of a leader with Mayor Walsh's perspective. For the past 4 years under President Trump and Secretary Scalia, unfortunately, sadly, the Labor Department has too often sided with corporate America, not the working people of America, which it was formed to help. Once the Senate confirms Mayor Walsh, American workers will finally have one of their own leading the Department of Labor, someone from working America who will fight for working America.

I am proud to say that once Mayor Walsh is confirmed tonight, the Senate will have confirmed all 15 of President Biden's Cabinet Secretaries.

Under extraordinary circumstances, unusual responsibilities, a later than usual runoff election, an evenly divided Chamber, an insurrection, an impeachment trial, and the passage of historic Federal relief, the Senate has still stayed on track and confirmed President Biden's Cabinet faster than both of the last two administrations. Let me say that again. With everything else going on, the Senate has confirmed President Biden's Cabinet faster than during both of the prior two administrations, one a Democrat and one a Republican. Every single member of President Biden's Cabinet has received a bipartisan vote in favor of confirmation. I anticipate that the vote in favor of Mayor Walsh will stay true to form, completing an unblemished record of bipartisan confirmations to the Cabinet.

It is a tribute to President Biden and his team that they have chosen such a fine Cabinet and a tribute to the Senators here that we have moved in such a quick fashion despite so many other responsibilities being placed on our shoulders in these early days of this Congress.

Few Cabinets in history have begun their tenures with such daunting tasks: a once-in-a-century pandemic, an economy in the doldrums, global challenges like climate change and democratic decline. Thankfully, this Senate has made sure President Biden's Cabinet is in place and on the job as quickly as possible. We will continue the personnel business this week by installing the Deputy Director at OMB, the Surgeon General, the Assistant Secretary of Health and Human Services, and Deputy Secretaries at Energy and Treasury.

PAYCHECK PROTECTION PROGRAM

Mr. SCHUMER. Madam President, PPP. In addition to these nominees, the Senate has another important matter of legislative business on the agenda this week: an extension of the bipartisan Paycheck Protection Program, which is set to expire at the end of the month.

Since its inception, the Paycheck Protection Program has generated

more than 7.8 million loans to keep America's businesses afloat during what has been the worst economic crisis in three-quarters of a century, since the Great Depression. With the help of the American Rescue Plan, our economy is finally turning the corner, but businesses are not out of the woods yet and are likely to need assistance for another few months as the country continues to recover.

Most borrowers are currently awaiting loan approvals at the Small Business Administration, and many more are still looking to apply. Working with the Biden administration, we made important changes to the PPP program to expand eligibility and access to nonprofits, to hard-hit independent venues, and to make it easier for the smallest, most underserved businesses to get relief, particularly microbusinesses, sole proprietors, and woman-owned and minority-owned businesses.

There is no reason—no reason—to let this program expire while there are still scores of applicants in line and billions of dollars left in the program. The House already passed the extension of the program by an overwhelmingly bipartisan vote, 415 to 3. A bipartisan group of Senators, including Senators CARDIN and COLLINS, SHAHEEN, MARSHALL, SULLIVAN, and MURKOWSKI, support identical legislation here in the Senate.

So we are not going to end this week without passing an extension. Again, the Senate must pass another extension of the Paycheck Protection Program before the end of the week and make sure the Nation's small businesses can have access to this very vital lifeline.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Martin Joseph Walsh, of Massachusetts, to be Secretary of Labor.

The PRESIDING OFFICER. The Senator from Illinois.

BUSINESS BEFORE THE SENATE

Mr. DURBIN. Madam President, the Senate Judiciary Committee has really been in business for a few weeks now, and I think we have begun this session addressing some of the relevant issues that I expect such a committee to address.

First, of course, was the appointment of Attorney General Merrick Garland. I thank Senator GRASSLEY for his cooperation on a bipartisan basis in bringing that nominee to the floor, where he received 70 Senate votes—bipartisan support for his leadership at the Department of Justice. We continue this week with two more of President Biden's appointments to the Department of Justice: Lisa Monaco and Vanita Gupta. They will be considered by the full Judiciary Committee on Thursday.

We will continue to fill vacancies in the administration as we are sent nominees and have that opportunity, but in addition to that, we have had hearings on several relevant topics and have another one starting tomorrow.

Christopher Wray, Director of the Federal Bureau of Investigation, was called before the committee for an oversight hearing. It is the first time in more than a calendar year that the head of the FBI was actually brought to testify before the Senate Judiciary Committee, a committee that has the traditional oversight responsibility for his Agency. His testimony was important and timely. He talked about the Trump-inspired mob that attacked this Capitol and the rise of domestic terrorism in the United States. He identified it as one of the major threats to security in our country, and we are considering legislation to empower him and others in the administration to address this threat.

That does not take anything away from our efforts to staunch any inspired international terrorism, but we have learned, unfortunately, that in addition to looking across the ocean for threats of terrorism, in America today, we have to look across the street. Unfortunately, there are domestic terrorism groups. We saw them on parade January 6, and they are still at their work. They must be stopped to make sure that America is safe for everyone.

That was an important hearing. We followed it up last week with the first ever Senate hearing on the Equality Act. The Equality Act, which has been passed by the House of Representatives, has been sent to the Senate for consideration. Senator MERKLEY from Oregon is the lead sponsor.

Simply put, the bill is there to end discrimination against people because of their sexual orientation and gender identity. I thought it was a very powerful hearing. Most Americans are surprised to learn that although we now recognize marriage by people of the same gender, in many States, there is no protection against discrimination for those same people. It is a gross dis-

parity in justice in this country, and I thought our witnesses brought that point through very clearly. I hope that we can gather bipartisan support for that measure quickly and bring it to the floor. It is long overdue.

Tomorrow we are having a hearing which is, unfortunately, very timely. I announced last week that this hearing on commonsense steps to reduce gun violence in America would be held this week. On the same day I announced that hearing, a gunman murdered eight people in a string of shootings near Atlanta, GA—one man, seven women, and six of the victims were Asian Americans. He committed these murders with a gun he had bought the same day. That day, children lost their parents, husbands lost their wives, and fear of trauma reverberated across America in the Asian-American community.

I know that the Presiding Officer and I reached out to people in our home State of Illinois to assure them that we are aware of this and are going to do everything we can to stop this type of discrimination and this terrible violence that followed.

According to the Gun Violence Archive, there have been 27 mass shootings in America this month—27 mass shootings this month—with a mass shooting defined as an incident where at least 4 victims are shot. Mass shootings, of course, make the biggest headlines, but day after day, week after week, the deadly toll of gun violence grows. Last weekend, 20 people were shot in our city of Chicago, 4 of them fatally. Across the Nation, every day, we lose on average 109 American lives to gunfire—suicide, domestic violence shootings, accidental shootings, and homicides—and another 200 Americans are injured by guns each day.

The numbers are sobering, and that is why tomorrow the Senate Judiciary Committee is going to address this issue. The subcommittee chairman, DICK BLUMENTHAL from Connecticut, will take over the full committee hearing after I make some opening remarks. I know he has a special feeling for this issue because of the tragedy in Newtown, CT, just a few years ago when a gunman went in and killed so many innocent children and their teachers at a grade school. It was one horrible event. It was an event that was so horrible, many of us said: That can make the difference. Politically, that is going to change America. It is going to result in things happening finally—commonsense, constitutional gun safety measures that will keep guns out of the hands of people who would misuse them.

Well, I would have lost that bet. Many others would have, too, because we failed to respond in a timely fashion. What stopped us from passing a bill in the U.S. Senate for background checks to make sure that convicted felons did not purchase guns legally in America and would be stopped because of roadblocks we put in their paths and

that people who were mentally unstable would not have access to guns which they could use to hurt innocent people, as we have seen over and over again—what stopped that from happening? A rule in the U.S. Senate. It is called the filibuster, and what it says is, it takes more than a majority for the overwhelming majority of the American people to see gun safety in America. It takes 60 votes in a Senate evenly divided 50–50.

Well, we are hoping—we are just hoping—that maybe there is a sentiment, a bipartisan sentiment, that could reach 60 votes on thoughtful, commonsense gun control that will really say to people: Yes, you have your Second Amendment right to own a gun legally, responsibly, and to store it safely. You can use it for sporting, target practice, and self-defense if you wish. But we want to make certain that we eliminate as much as possible those who would misuse those firearms.

It is interesting. The overwhelming majority of firearm owners across the Nation believe that same thing. They don't argue with the premise that they want guns to be in the hands of people who will use them responsibly. Yet, despite this overwhelming majority sentiment, we can't get the bill through the U.S. Senate for the very reason I mentioned, the filibuster.

So when Senator MCCONNELL comes to the floor each day to defend the filibuster, the basic question you have to ask him is, If the Senate can work with the filibuster, show us. Show us. Show us that if we bring 45 or 50 votes to the floor, there are 10 Republicans who will join us and work with us to pass important legislation. That wouldn't be the only thing. There would be many other things.

I have heard speeches on the floor by so many Republicans about the situation on our southern border with immigration, and it truly is a challenge. I work on it because it is the matter that I have paid a lot of attention to in my career but also because it is subject matter in the Senate Judiciary Committee.

Why is it that we have not addressed immigration reform in the United States? The filibuster, that is the reason. The filibuster has stopped us from passing measures like the Dream Act.

I introduced the Dream Act 20 years ago to say, if you are brought here to the United States as a child, raised in this country, you ought to have a path to legalization and citizenship so you can stay in the country you call home—a simple premise overwhelmingly supported by the American people.

Five times I brought the Dream Act to the floor of the Senate for passage: Let's make this a law. Five times it failed. Why? The filibuster rule. Each time I had a majority but not the necessary 60 votes. That is another example of where the filibuster has stepped in and stopped a majority of the Senate from passing a measure which was

timely, I believe thoughtful, and which the American people overwhelmingly supported.

So I would say to the defenders of the filibuster: Show us it can work. We have had so little legislative activity that was subject to this filibuster rule over the last several years, and, obviously, some Senators are very content with that. I am not. There is work to be done, not just in the areas I have mentioned but in so many others. Infrastructure programs for Americans are a good example too.

Let's get to work in the Senate and do what we were elected to do: to deliberate, to legislate, to amend, to express different points of view but, ultimately, to enact laws that will make this a better nation.

POLITICAL PRISONERS

Madam President, I want to salute a member of my staff before I make this statement. His name is Chris Homan. He has been with me a number of years. He has a special passion for people who are languishing in prisons around the world for so-called political crimes, and he has convinced me to make this my cause as well.

Time after time, we have been successful at seeing the release of these political prisoners simply by speaking on the floor and addressing the Embassies of the countries where they are imprisoned and trying to put some political pressure on the leaders of those countries to release those prisoners. You wouldn't believe that would work, would you, in an authoritarian regime, but it turns out it does, and over the years, we have been successful in helping many political prisoners be released. Today, I would like to address that topic again.

There are political prisoners languishing in jails around the world for nothing more than advocating for human rights and political freedom. These brave souls are often led to believe their efforts to push for freedoms are forgotten. I come to the floor today to tell them that is not the case.

Let me start with a particularly cruel and troubling set of cases: a Saudi writer, Raif Badawi, and his lawyer, Waleed Abulkhair. Badawi was arrested in 2012 for his peaceful writings, charged with apostasy, sentenced to 10 years in prison in 2012 and 1,000 lashes, at least 50 of which were carried out despite international uproar. Badawi suffers poor health, hypertension. His condition has worsened during 10 years in prison.

I had the honor of meeting his wife, Ensaf Haidar, here in Washington, DC, some years ago. She is living in exile in Canada with her young children after facing threats to her life in Saudi Arabia.

Badawi's lawyer, Waleed Abulkhair, a leading human rights activist, also was arrested in 2014 and sentenced to 10 years in prison and a 15-year travel ban.

As these two men near the latter years of their sentences, I once again

appeal to the Government of the Saudis to free them. They have suffered enough.

I also call for the release of Filipina Senator Leila de Lima, who just spent her fourth year languishing in jail in the Philippines. This is a photo of her in her cell.

As a leading human rights advocate, she has criticized the actions of the President of her country, Rodrigo Duterte. From time to time, she writes from her cell. Let me share a short excerpt from this brave woman who, incredibly, after 4 years in confinement, still maintains her sense of humor. She wrote:

Warm greetings from my detention quarters at the Philippine National Police Custodial Center, Camp Crame! . . . I do not know how long I will remain behind bars but there is one thing that I am sure of—my will to fight for what is right continues to be undeterred.

She is not alone. Many of us have spoken about Duterte's political harassment of Filipino journalist Maria Ressa, who received her 9th arrest warrant in November and 10th in January.

I have met with many in the Filipino American community in Illinois. We have a great, great community of Filipinos in the Chicagoland area and across the State. I know that they and colleagues here, like Senators MARKEY and LEAHY, will continue to support efforts to see a more accountable and democratic Philippines.

Lastly, let me turn to the United Arab Emirates, where one of the Nation's top human rights defenders, Ahmed Mansoor, also just passed his fourth year in jail. You see, Mansoor was arrested under the guise that his social media post advocating for human rights threatened the social harmony of the UAE. He is considered to be one of the last human rights defenders in the Emirates, one who peacefully advocates for freedom of expression, fair trials, and the humane treatment of prisoners.

Since his troubling sentencing in 2017, he has endured solitary confinement and cruel separation from his family. Despite the dismal conditions of his incarceration, he remains steadfast in his commitment to human rights, even conducting multiple hunger strikes in protest of jail conditions—the same conditions he spoke against before his detention. It is long overdue that Emiratis let this man go.

America's strength around the world comes not only from its military and its economy but also from the power of its ideals. I can tell you from the many former prisoners who have come to visit me over the years that the support of this body and this Congress and the American people, which we may just take for granted as another speech on the floor of the Senate, can make a difference. They have come to learn that someone actually mentioned their name on the floor of the U.S. Senate in Washington, DC. It sustains them. It encourages them. It gives them hope,

and it puts pressure on the governments that jail them to justify and rationalize the cruel treatment that they are responsible for.

So let me remind Raif Badawi, Waleed Abulkhair, Senator Leila de Lima, Maria Ressa, and Ahmed Mansoor: You are not forgotten. We will continue to advocate for your freedom, and we hope that it comes someday soon.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF MARTIN JOSEPH WALSH

Mr. BROWN. Madam President, this pandemic has made it clearer than ever: It is not corporations that drive our economy; it is American workers.

With Marty Walsh, for whom we will vote in a moment on confirmation for the Department of Labor, workers will finally have someone on their side, as the Department that is supposed to look out for them. The Department of Labor is supposed to be the voice for workers in our government. It is their job to make sure workers' rights are protected, that people are safe on the job, that everyone can organize a union and get the overtime pay they have earned.

For 4 years, we have had a Department of Labor full of corporate lawyers. In fact, the Secretary of Labor was a corporate lawyer who made millions of dollars in court attacking labor unions and getting very well paid for it. That Department was full of people who made their careers fighting for corporate boards and CEOs, trying to squeeze every last penny out of workers and skirting labor laws.

And we saw the results. The DOL stopped fighting to raise the overtime pay threshold. In my State, tens of thousands of workers and, nationally, hundreds and hundreds of thousands of workers failed to get a raise as a result.

A year into the pandemic, the Occupational Safety and Health Administration, OSHA, still has not issued an emergency temporary standard to protect workers from coronavirus. When 1,300 workers last year got sick at a Smithfield meatpacking plant, they fined the company a pathetic \$10 per worker.

With Marty Walsh, that corporate infiltration of the Department of Labor ends now. Mayor Walsh will put the focus back where it should be: fighting for the people who make this country work.

We know that for far too many Americans, hard work doesn't pay off. They have seen corporate profits go up. They have seen executive compensation skyrocket. They have become

more productive in the workplace, and yet their wages are flat.

Hard work has never paid off for many Americans like it should. That is why voters sent a clear message in last year's election: They are tired of corporations running our economy.

Corporations have had their chance. They failed. If corporations won't deliver for their workers and create an economy where everyone's hard work pays off, with a middle class that is growing instead of shrinking, then we have to step in and fight for workers.

That is what Marty Walsh will do as the Secretary of Labor. He can work with OSHA to finally issue the emergency temporary standard, forcing corporations to take critical steps to protect their workers on the job. He can crack down on corporations that use subcontracting and independent contractors and other tricks to pay workers less and to deny them benefits.

He can get to work on a new overtime rule so that hundreds of thousands more workers will finally get the overtime pay that they have earned. He can defend workers' rights to organize to give them power in their workplace and crack down on corporate union busting.

And, as we know, Marty Walsh has the deep experience in the labor movement to get this done. Too many people in this town don't understand what it is like not to have a voice on the job, to have no power over your schedule, to work hard at a job that doesn't even pay the bills. They don't understand collective bargaining and the power that a union card gives you over your career and your finances and your future.

Marty Walsh does understand that. At the age of 21, he joined the Laborers' Union Local 223 in Massachusetts. He knows what a union means to workers. He knows what workers are up against when they organize.

Like President Biden, he is not afraid to talk about the labor movement, and he doesn't recoil from using the word "union." He is not afraid to take on corporations that exploit their workers.

We already see that change in action. President Biden and Vice President HARRIS have joined Senator BOOKER and me and so many of us in standing in solidarity with Amazon workers organizing in Alabama.

Ultimately, it comes back to the dignity of work, the idea that hard work should pay off for everyone, no matter who you are, where you live, or what kind of work you do. Mayor Walsh understands that when work has dignity, people have power over their lives and their schedules—and they are paid a living wage. When work has dignity, everyone can afford healthcare and housing and childcare. They can save for retirement. They can take time off to care for their loved ones.

Mayor Walsh has lived those values. He successfully helped push his State to raise the minimum wage to \$15. He

cracked down on wage theft. He fought for paid family leave.

He knows how important it is for the people in the room making decisions to actually reflect the diverse workers who make our country successful. It is the job of the labor movement. It is the job of DOL to fight for all workers.

As we work to build back better with a big investment in American infrastructure, Mayor Walsh understands all of the opportunities for workers that come with that. He comes from the building trades. He understands that we can put hundreds of thousands of tradespeople to work building houses and schools and public transit, retrofitting homes and offices and schools. We have a tremendous opportunity to rebuild our economy with workers—not corporations but with workers—at the center.

If you love this country, you fight for the people who make it work. As Secretary of Labor, that is what Marty Walsh will do. I urge my colleagues to support him.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. COLLINS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Ms. COLLINS pertaining to the introduction of S. 883 and S. 885 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Ms. COLLINS. I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

FALSE CLAIMS ACT

Mr. GRASSLEY. A Civil War legislation called the False Claims Act has been on the books since that period of time. In 1986, I believe it was, I got some amendments to it that made it a much more valuable piece of legislation than it was before that time.

It is called the False Claims Act, and it has brought, I think, something like \$64 billion back into the Federal Treasury of fraudulently taken money since then.

The problem today, even though it has been a successful law, is that the courts tend, from time to time, to neuter its capabilities by interpreting it in a way so it is not quite as effective. From time to time, we have passed legislation to overcome some of those court decisions.

I am here today to talk about another opportunity this Senate has to make the False Claims Act the effective piece of legislation it was.

So I want to alert my colleagues about the most recent limitations the courts have imposed on the False Claims Act.

The False Claims Act was signed into law by President Abraham Lincoln in 1863, for the very same purpose it serves today: to fight fraud, not just

with military matters, as was the reason for doing it because the Union Army was being defrauded at that particular time, but, today, it fights fraud governmentwide.

Today, it is the government's most powerful anti-fraud statute. That is because amendments that I offered in 1986 empowered whistleblowers to sue fraudsters on the government's behalf with or without the government's help. Since then, we have recovered more than \$64 billion of taxpayer money lost to fraud.

Now, when we talk about anti-fraud statutes like the False Claims Act, we use the term "materiality." It is because of that term that the courts have caused—their interpretation of that term has caused—the act to be less effective. The False Claims Act defines "materiality" as "having a natural tendency of influencing the payment or receipt of money or property." Basically, if the government could have withheld payment, then it was likely material.

However, based on a 2016 Supreme Court opinion, the Federal courts are trying to reshape the act's materiality requirement. In the Supreme Court's opinion in Escobar, "if the Government pays a particular claim in full despite its actual knowledge that certain requirements were violated, that is very strong evidence that those requirements are not material."

Citing this language, other courts have made the government's payment decisions in these cases a deciding factor. Consequently, the Justice Department now shies away from prosecuting these cases. That is the case even when the fraud is very obvious and then, obviously, material.

Recently, the Office of the Special Inspector General for Afghan Reconstruction briefed me on a report about a botched Defense Department effort to quickly buy cargo planes from an Italian manufacturer called Alenia.

In 2009, the Department of Defense bought 20 cargo planes from this company, Alenia, for \$549 million. These planes were intended to move goods and train Afghan pilots. This is the type of plane we are talking about. The contract required the manufacturers to refurbish 20 retired aircraft and provide enough spare parts for 10 years of maintenance. To seal the deal, the company even took Department of Defense personnel on several warehouse tours to prove they had all these spare parts.

When the planes arrived in Afghanistan, mechanics quickly noted the planes were very poorly refurbished. Worse, they couldn't actually fly. The poor state of the planes and the hazards of the Afghan elements made that impossible. The company, Alenia, also lied about their maintenance commitments.

Now, remember, I already told you about their promise that those warehouses were full of parts for the next 10 years. These spare parts that they

showed them were not for these planes. In other words, they were for the wrong planes.

Despite this blatant fraud, the Department of Defense inspectors kept certifying the planes, and the government kept making payments.

But here is the catch: The inspectors later admitted that many of the documents and manuals they reviewed were in Italian, and none of them spoke Italian.

In the final count, out of 20 aircraft, 4 never even made it to Afghanistan.

It is unclear why the Department of Defense continued making payments despite these flagrant violations, but by 2013, it became clear that continuing this program was unfeasible, and the government tried to sell the remaining 16 planes. You can imagine that nobody wanted these planes. So the Obama-Biden administration sold them all for scrap metal. You can see the scrap metal right here.

To recap, the government bought 20 airplanes for \$549 million and, in less than 5 years, sold them for \$40,257 worth of scrap metal. The photos next to me show what we bought compared to what it was actually worth, a little pile of garbage.

It is clear that the actual condition of the planes and the lack of parts were very material components of this contract. See, there is that word “material.”

Now, thanks to the Department of Defense's poor judgment and also the courts' new standard on materiality, the Justice Department won't bring False Claims Act charges against that company.

Materiality is important to protect against parasitic lawsuits, but we can't allow defendants to get away with scalping the taxpayers because some government bureaucrats failed to do their jobs.

Government bureaucrats are highly segmented and often unable to make key decisions for their organizations. Now, that is not the employee's fault. That is just kind of the way government, I am sorry to say, operates.

Also, the government typically stops payments only when it has fully investigated and corroborated a claim of fraud.

In my many years of investigating the Department of Defense, it has taught me that a Pentagon bureaucrat is rarely motivated to recognize fraud. That is because the money doesn't come out of their pocket. This example highlights how the courts' narrow interpretation of “materiality” fails to take into account how the government really works and why we need to overcome the courts' decision on the definition of “materiality.”

When the False Claims Act was originally passed, one fraudster boasted—and this is a direct quote—“You can sell anything to the government at almost any price if you've got the guts to ask.”

Unfortunately, that was true in this case as well. I have already made it

public that I am working to patch this hole in the taxpayer's pocket. This example perfectly illustrates the need for change. I am working on introducing legislation to address the issue, and I am in the final stages of negotiating and look forward to putting forward a very bipartisan bill in the coming weeks.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION

Mr. CORNYN. Madam President, from El Paso to Brownsville, my home State shares a 1,200-mile border with Mexico. If you were daring enough to attempt to walk that entire stretch, you would trek through deserts, mountains, big cities, small towns, and maybe even stick your big toe in the Rio Grande. You get to know folks who are proud of the strong bonds that our country has with our southern neighbor, including many who have relatives in both countries. You would meet entrepreneurs whose businesses depend on legitimate trade and travel between our countries. You would talk with local, State, and Federal law enforcement officials who go above and beyond the call to keep our communities safe. And I have no doubt that along the way, you could enjoy some great Tex-Mex, and depending on the season, you would find the best grapefruit you have ever eaten in the Rio Grande Valley.

Our Texas-Mexico southern border is a beautiful, vibrant region with a rich sense of community that you can't find in any other part of the country. I believe it is truly unique.

Throughout my time in the Senate, I have had the opportunity to spend a lot of time in our border communities and work with their incredible leaders: mayors, county judges, sheriffs, school superintendents, NGOs—nongovernmental organizations—and countless others.

Well, I am sure you have heard the song “God Bless Texas.” It is true, I believe, and the folks I have come to call friends along the border are certainly doing the Lord's work. These men and women work around the clock to create safe communities and thriving economies, something that has been especially tough during the hand they have been dealt this last year with the pandemic. But they have lived through a pandemic, hurricanes, droughts, a winter storm that presented subzero freezing temperatures for a week. All have hit my State in the last 12 months.

Folks in these communities, as they have throughout the country, have lost friends and loved ones. They have lost jobs. They have lost businesses and opportunities and so much more. Now

they are trying to deal with another crisis, one they had no hand in creating and should not be responsible for managing alone.

Unfortunately, the administration continues to play a high-stakes version of the game Taboo as they try to find a word—any word—but “crisis” to refer to what is happening along the southern border. President Biden himself has called it a “humanitarian challenge.” Secretary Mayorkas prefers the term “situation.” And the President's Chief of Staff referred to it as a “mess.” The problem here isn't the choice of the word you use to describe it but the implication of downplaying the seriousness of this migration surge.

In an attempt to lessen the impact of this dramatic increase in illegal migration, the administration has revoked policies that were helping deter such an influx. It failed to rapidly provide the resources needed to respond to the crisis once it revoked the previous policies, and now the border communities in my State along that 1,200-mile common border with Mexico are expected to pick up the slack.

Regardless of how you want to brand what is happening, here are the facts. Last month, Customs and Border Protection encountered more than 100,000 individuals along our border last month alone—100,000. That is the highest number since 2006. More than 9,000 of these 100,000 people were children, unaccompanied children, separated when their parents sent them, along with human smugglers, criminal organizations, to make their dangerous trek from Mexico or Central America or somewhere else into the United States. Another 19,000 are what are euphemistically called family units, usually 1 parent and 1 or more children.

Now, we know that this journey to our borders isn't safe or easy, and you can imagine that is especially true for unaccompanied children. Many arrive at our border in critical health, having endured days and weeks or even months of exposure on the road. I have heard horrific stories of physical and sexual abuse that occur in the hands of these criminal organizations who move migrants from place A to place B. But they are nothing more than cartels, human smugglers, criminals who care nothing about the individuals whom they are ferrying from their point A to point B. All they care about is the money that they make, and they make a lot of money.

By law, children cannot be in the custody of Customs and Border Protection for more than 72 hours. Within that window, they are required by law to be transferred to the custody and care of the Department of Health and Human Services. But right now, the system is so overwhelmed that thousands of children have been in custody beyond the legal limit, including hundreds who have been held for more than 10 days in border detention facilities.

Axios has recently released some pictures taken inside, I believe, the Donna

detention facility showing children basically stacked end to end, trying to stay warm, trying to sleep because the Border Patrol facilities are simply overwhelmed.

The situation has grown so dire, the administration has sent the Federal Emergency Management Agency to help, and now they have set up a new influx care facility in Dallas and Midland to provide for these children. The Midland facility has experienced so many issues that no additional migrant teens are being sent there. In the first few days of operation, more than 10 percent of the population housed there tested positive for COVID-19, and at least one child has been hospitalized. One government official described the process of setting up the facility as “building a plane as it’s taking off.”

There is simply no reason the administration should have been caught flat-footed by this surge of illegal migration. After all, the President campaigned on promises of policies that were sure to lead to this very situation. When you remove the policies that deter illegal border crossings, what do you expect?

We know that the spring months are typically the busiest for migration because mild temperatures make the journey a little less dangerous and folks want to come to the United States for summer work.

We know the cartels and criminal organizations are very knowledgeable about our immigration laws. They know them perhaps better than most Americans do, and they know how to navigate them. We know a flawed court ruling on the Flores settlement agreement means even more children will come across our border because now families are subject to the same requirements as unaccompanied children. We know we have an immigration court backlog that is roughly 1.3 million cases deep, and the average time for a case to be presented in court is now 2½ years. Nevertheless, the Biden administration, by revoking the previous policies without having a plan to replace them, has created a perfect storm that anyone could have told them would end up in this situation. We have experienced migration surges in the past but never of this magnitude.

In the midst of a pandemic, Secretary Mayorkas has said that we are on track to see the highest number of border crossings in 20 years and the administration needs to take action now to keep things from getting any worse.

As migrants continue to make their way to our southern border in record numbers, law enforcement, local officials, and nongovernmental organizations, notwithstanding their best efforts, are not equipped to manage the influx, certainly not in these numbers. They don’t have the facilities. They don’t have the policies, the funding, or the resources to manage the crisis in a fair, efficient, and humane way. That needs to change.

For folks who are not from a border State or haven’t spent much time at the border, it is difficult to understand just how complex the situation is. They may have learned what they think they know about the border from movies or novels, or they may have read news articles and assume border communities are dangerous or lawless places. That assumption could not be farther from the truth. But it is true that our border communities are being asked to carry more than their fair share of the weight during this crisis, when the past year has already been challenging enough with the pandemic.

Like cities across the country, border communities have had to cover a range of expenses created by the pandemic, but unlike those other communities, they now have the added economic struggle created by limits on non-essential border travel.

Prepandemic, folks from Mexico could travel across the border to shop, to eat at restaurants, and visit family members. These were huge drivers of the economy along our entire border region. But the pause on legitimate, nonessential travel by title 42 has created a serious economic strain on these communities, and leaders are struggling to understand the disconnect between the Biden administration’s two very different approaches.

At a recent roundtable my friend Congressman HENRY CUELLAR and I hosted in Laredo, someone said: I don’t understand how you can catch and release the migrants and not let our neighbors across the border come over and spend money in our communities to help bolster our economy.

This confluence of crises is a one-two punch for our border communities, and it is unfair they are expected to carry the burden of this crisis. That is the Federal Government’s responsibility.

This Friday, my colleague Senator CRUZ and I will welcome a number of our colleagues to the Rio Grande Valley, where they can hear and see about these challenges firsthand. I welcome any Member of the Senate or the Congress to join me at the border at a time of their choosing. I know I have benefited from the feedback and advice from the experts on the ground who are dealing with this crisis firsthand, and I am glad to bring some of my Senate colleagues on Friday along for a visit at this critical moment.

Hopefully that will help us to find a way, along with the administration in a bipartisan way, to reduce some of the pull factors that incentivize people to come and navigate our system.

You are never going to deal with the fact that people want a better life or are fleeing violence. We all get that. We understand why, as human beings, people would want to leave that, but we also know that the cartels are getting rich off of this business model, and certainly they are incentivized to encourage as many people as possible to come and pay their extortionate fees in the process. But the combination of

those at this point—both the push factors and the pull factors, especially with the Biden administration putting a green light on our border and basically saying “All comers are welcome to enter the country”—is creating an unreasonable expectation about what people are going to encounter, as well as overwhelming the capacity of our Border Patrol, Health and Human Services, and the Office of Refugee Relocation to be able to deal with them.

We know that the incentives involved in a catch-and-release system, in which people are asked to return in perhaps months, maybe years, for a future court date to consider their asylum claims, are nothing but an invitation for them to not appear and simply melt into the great American landscape and, again, continue to incentivize people to come because they know they can beat the system. They certainly can game the system, and, unfortunately, too often people beat the system, creating the situation we find now at the southern border.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. HIRONO). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BURR. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF MARTIN JOSEPH WALSH

Mr. VAN HOLLEN. Madam President, I rise to support the nomination of Marty Walsh to be our Nation’s next Secretary of Labor. Mr. Walsh is an experienced leader who has always been a fighter for working families as the mayor of Boston, a State legislator, and as a union president. We need a Secretary of Labor who will make workplaces safer and prevent the spread of COVID-19 on the job, ensure that unemployed workers get the benefits they need and deserve, and support workers exercising their rights to form a union and bargain collectively.

Only 11.6 percent of workers were represented by a union in 2019, down from 27 percent in 1979. The decline in unionization has coincided with a marked divergence between overall productivity growth in our economy and paychecks for workers. While productivity has grown significantly, hourly compensation for rank-and-file workers has been nearly stagnant once inflation is taken into account.

In a January 22 Executive order on protecting the Federal workforce which faced especially harsh attacks from the Trump administration, President Biden reaffirmed that it is “the policy of the United States to encourage union organizing and collective bargaining.” Strengthening and enforcing the laws that enable workers to do so must be at the core of our efforts to build an economy that works for all Americans, and Marty Walsh is the right person for the job.

Mr. BURR. Madam President, I am going to support the nomination of Mayor Marty Walsh to be the U.S. Secretary of Labor.

Now, why is a guy from North Carolina here to encourage my colleagues to vote for the mayor of Boston, MA? Well, it is quite simple. Mayor Walsh has the background and skills and the awareness for the need of balance in conversations between labor and management.

He has been a mayor; he has been a State representative; and he has also been a union leader. The Department of Labor serves an immensely important role in our economy and in the lives of the American people. Especially in the midst of a pandemic, with unemployment at 6.7 percent and 12.6 million Americans unemployed, this is a job that needs filling.

But our Nation can't have a Labor Secretary that will ever be accused of being in cahoots with labor or beholden to management. I have made it clear that the Labor Secretary's job is to play a balanced role and to confront both, when necessary, for the protection of the rank-and-file workers.

Mayor Walsh emphasized during his nomination hearing that he wanted to work with us collaboratively to help the American workers improve and expand opportunities. He respects the importance of job creators and the need for better coordination of numerous job training programs.

Mayor Walsh is committed to making sure commerce and labor work cooperatively. He stated that the workers in a representation election have the right to listen to both sides. Mayor Walsh agreed to be responsive to our oversight requests and to keep us updated on his plans and departmental actions.

Now, we won't agree on everything, but we should be able to find places that we can agree, in a bipartisan way, to move forward. I support the nomination of Mayor Marty Walsh, and I look forward to working with him. I encourage my colleagues to support this nomination as well.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARDIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE ON WALSH NOMINATION

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the Walsh nomination?

Mr. CARDIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mrs. BLACKBURN), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from Pennsylvania (Mr. TOOMEY).

The PRESIDING OFFICER (Mr. HEINRICH). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 68, nays 29, as follows:

[Rollcall Vote No. 127 Ex.]

YEAS—68

Baldwin	Graham	Peters
Bennet	Grassley	Portman
Blumenthal	Hassan	Reed
Blunt	Heinrich	Romney
Booker	Hickenlooper	Rosen
Brown	Hirono	Sanders
Burr	Hoeven	Schatz
Cantwell	Kaine	Schumer
Capito	Kelly	Shaheen
Cardin	King	Sinema
Carper	Klobuchar	Smith
Casey	Leahy	Stabenow
Cassidy	Lee	Sullivan
Collins	Lujan	Tester
Coons	Manchin	Tillis
Cornyn	Markey	Tuberville
Cortez Masto	Marshall	Van Hollen
Cramer	Menendez	Warner
Duckworth	Merkley	Warnock
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Fischer	Ossoff	Wyden
Gillibrand	Padilla	

NAYS—29

Barrasso	Hyde-Smith	Rounds
Boozman	Inhofe	Rubio
Braun	Johnson	Sasse
Cotton	Kennedy	Scott (FL)
Crapo	Lankford	Scott (SC)
Cruz	Lummis	Shelby
Daines	McConnell	Thune
Ernst	Moran	Wicker
Hagerty	Paul	Young
Hawley	Risch	

NOT VOTING—3

Blackburn	Murkowski	Toomey
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The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

The majority leader.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO JOHN GOODROW

Mr. LEAHY. Mr. President, all of us have been sent here by the people of our States to represent them. I have always felt a true measure of the quality of our service is reflected in the kind of people we hire to help us do these awe-

some jobs. The people in our State offices, on our frontlines, are critical in this effort.

John Goodrow is one such public servant. I hired him in 1987 from his job at a local radio station. John brought his radio voice and Vermont sensibility. He has a great sense of humor and could see the challenges, frustrations, and occasional absurdities of everyday life in a Senate office. This was coupled with a determination to serve all Vermonters.

On March 4 of this year, John Goodrow marked 34 years as a loyal and dedicated service. With deep appreciation and respect and more than a little bit of sadness, I recently informed my staff that John has decided to retire on March 31.

At the age of 25, John came to my office scheduling appointments and events, and serving as my on-the-ground Vermont press secretary. He clipped news items in a time when they were actually cut and copied from newspapers, and John loved his typewriter. It was just a few years ago that he reluctantly let go of the typewriter in his office. Staff may have even spirited it away when he wasn't there.

He understood the importance of my travel throughout our State to meet with Vermonters, and in his bones, he knew it how meaningful it was for Marcelle and me to be home at our farmhouse in Middlesex.

He fielded the scores of scheduling requests that came to my office. And later, as my deputy State director, he has helped in overseeing an exceptionally skilled and dedicated staff.

What I also treasured was how direct John could be with me. When something was wrong, he let me know. If I was reluctant to do something he deemed important, he made his case. In our jobs, we are frequently surrounded by people who are too quick to flatter. That was never a problem with John and something I always valued.

John has been a valuable resource and coach to countless staff members and interns over the years. His institutional memory, his good judgment and steadiness of purpose, and his connections to Vermonters across our State are unmatched. His droll sense of humor, including practical jokes, and his gifted storytelling can take you back many years, including back to every one of my campaigns. And his empathy and compassion for others is a gift.

Marcelle and I value John's friendship, his loyalty, and his dedication to helping those in need. We have watched his family grow and prosper as he and Mary Ellen raised their two boys, Joe and Jamie.

While we will miss his booming voice when we walk down the hall of the Burlington office, we will take comfort in knowing that voice will continue to be heard at Centennial Field as baseball season begins anew.

Marcelle and I congratulate John for all he has accomplished, we commend

him for his service to Vermont, and we thank him for his friendship and loyal service to our State. We will miss our daily interactions with him, but we are grateful that he forever will be part of the Leahy family.

TRIBUTE TO CORNELIA DOZIER COOPER

Mr. MCCONNELL. Mr. President, Kentucky is home to many talented artists. They capture our heritage with color, movement, and language. Their creativity offers inspiration and makes us proud to call the Bluegrass home. Today, I would like to recognize my friend Cornelia Dozier Cooper, one of these gifted Kentuckians, who continues to awe our Commonwealth with her vision, generosity, and leadership. Cornelia was recently recognized by her hometown with a Distinguished Community Service Award. It is a privilege to join her many fans in sharing my hearty congratulations.

Cornelia moved to Pulaski County in Southeastern Kentucky six decades ago. Instantly, in her words, she “fell in love.” The breathtaking landscapes fill her imagination and fuel her art. Cornelia skillfully captures the region’s beauty and the distinct character of its people in her watercolor. She brings joy and appreciation to all those who have viewed her work. I am proud to count myself among them. In 2019, Cornelia received the Milner Award, our Commonwealth’s highest artistic honor, in tribute to her mastery of the brush and her devotion to her craft.

Kentucky’s traditions are reflected in Cornelia’s artwork as well as in her philanthropy and service. She has helped found and continues to support numerous local organizations to foster artistic expression. After receiving a donation of books from the Carnegie Library, Cornelia knocked on doors around Somerset to gather support for the area’s first library. Her own endowment provides grants to aspiring performers and artists in the Lake Cumberland area. As an enthusiastic mentor and a compassionate friend, Cornelia has singlehandedly led a new generation of budding artists to find their own inspiration in the hills of Southeastern Kentucky.

Even beyond the brush, Cornelia has brought beauty to her community. In Somerset’s Fountain Square—which hosts a statue of Cornelia’s brother-in-law, Kentucky Senator John Sherman Cooper—she has taken personal responsibility for planting flowers and leading renovations. She is driven to make the square a source of collective pride. Cornelia’s influence on the local creative community is difficult to overstate, and it will continue for years to come.

My friend continues to create well into her nineties. She has lifted this entire community with grace and art. It is a privilege to once again thank Cornelia for sharing her talents across

Kentucky. She has earned this award and our sincere praise. I encourage all my Senate colleagues to join me in congratulating Cornelia Cooper on a lifetime of distinction and success.

CONFIRMATION OF XAVIER BECERRA

Mr. PAUL. Mr. President, on March 18, I voted against the confirmation of Xavier Becerra to be Secretary of Health and Human Services. Mr. Becerra has no substantive experience in public health policy, and he has proven himself to be an extremist on the few occasions he has engaged on health care issues. In October 2017, he told FOX News, “I’ve been a supporter of Medicare for All for the 24 years that I was in Congress.” As attorney general of California, he filed over 100 lawsuits against the Trump administration, including leading a group of attorneys general in opposing Texas’s legal challenge to Obamacare in *Texas v. Azar*. He also won lawsuits to reclassify gig economy companies like Uber and Lyft as employers. In response, California’s Prop 22 was drafted, with a description saying it “changes employment classification rules for app-based transportation and delivery workers.” Becerra’s office, which has authority to summarize ballot measures, seemingly tried to sabotage Prop 22 by changing its summary to say it “exempts app-based transportation and delivery companies from providing employee benefits to certain drivers and delivery workers.” Californians passed Prop 22 anyway, with over 58 percent support.

Mr. Becerra’s history suggests he will use this Cabinet post for political activism, not for advancing our Nation’s public health. For that reason, I opposed his confirmation.

REMEMBERING JUSTICE LORENE B. FERGUSON

Mr. HEINRICH. Mr. President, it is an honor to recognize the lifetime of service and historic contributions of Navajo Nation Supreme Court Justice Lorene B. Ferguson, who died on March 1, 2021, with her daughters at her bedside, from complications of COVID-19.

Justice Ferguson was the first woman justice on the Navajo Nation Supreme Court. In 2001, she was nominated to serve as Associate Justice by President Kelsey Begaye and was confirmed by the Navajo Nation Council. She served as an Associate Justice on the Navajo Nation Supreme Court until 2007, including as Acting Chief Justice from 2004 to 2005.

Prior to her appointment to the Supreme Court, Justice Ferguson served as a Navajo circuit judge in the Kayenta District Court and as a Navajo Tribal Court judge in the Shiprock, To’hajiilee, Ramah, and Alamo Courts. She also served for 8 years as a staff attorney at the Navajo Nation Department of Justice, where she drafted the first Navajo Election Code and Navajo

scholarship policy for the Department of Education.

Justice Ferguson was born in the Sawmill, Ní’i Jí’ih, Chapter of the Navajo Nation in the Fort Defiance Agency in Arizona. She graduated from Fort Lewis College in 1965. She worked in community development, welfare rights, and Native American education as a Head Start teacher and Indian education training technician. She began her legal career after graduating from the University of New Mexico School of Law in 1983.

Justice Ferguson served as a mentor and role model for numerous Navajo attorneys and law clerks. She was a strong advocate for education and Tribal traditional law. She served as a judicial education faculty member for the National Judicial College at the University of Nevada in Reno and was the first Tribal judge to serve as a judge in residence at the University of Tulsa School of Law. She frequently spoke at law schools around the country to educate students and faculty on the importance of Tribal law.

Justice Ferguson was also a loving wife, mother, grandmother, and matriarch for her family. My thoughts are with all of her loved ones and all those who were touched by her life during this time of loss.

TRIBUTE TO DR. DAN ALPERT

Mr. HEINRICH. Mr. President, it is an honor to recognize over two decades of dedication and service to New Mexico from Dr. Dan Alpert, my senior legislative assistant, who is retiring after a distinguished career in the U.S. Senate.

A dedicated public servant, Dr. Alpert began his career as a nuclear engineer at Sandia National Laboratories in Albuquerque, NM, working on nuclear power, renewable energy, and energy efficiency programs for 20 years.

In 1997, Dr. Alpert took his extensive experience at Sandia to Capitol Hill for a 1-year fellowship sponsored by the American Association for the Advancement of Science, AAAS, in the office of my predecessor, Senator Jeff Bingaman. Since then, Dr. Alpert has served the people of New Mexico in the U.S. Senate for more than two decades.

Dr. Alpert’s dedication to New Mexico and expertise has been instrumental in steering my legislative priorities on the Senate Energy and Natural Resources Committee. Dr. Alpert’s distinguished career includes leadership in energy storage research and development, cutting-edge energy transmission planning, and careful oversight and stewardship of our Nation’s nuclear laboratories and the Waste Isolation Pilot Plant. While he probably did not plan on it when he was earning his nuclear engineering Ph.D., Dr. Alpert also served as a longtime and well-respected agriculture and infrastructure expert in Senator Bingaman’s office.

Anyone who has ever worked with Dr. Alpert also knows that his policy

expertise is matched by his dedication to his colleagues and to mentoring the next generation of public servants. Dr. Alpert has demonstrated his heart of gold, a natural kindness, and wonderful sense of humor to all who have had the pleasure to meet him. I also recognize that Dr. Alpert could not be where he is today without the love and support of his sweetheart, Ann.

On behalf of the people of the State of New Mexico and on behalf of my entire staff and Senator Bingaman's staff, I thank him for his service. I know I speak for so many when I thank Dr. Alpert for his contributions to New Mexico and to our Nation. I know that he will continue to make a difference in the lives of everyone he meets. I ask my colleagues to join me in recognizing the dedicated service of Dr. Alpert and congratulate him on his retirement from the U.S. Senate.

ADDITIONAL STATEMENTS

REMEMBERING DR. KAREN TRUJILLO

• Mr. HEINRICH. Mr. President, the tragic passing of Dr. Karen Trujillo, a devoted mother and compassionate leader who dedicated her life to New Mexico's students and teachers, is a tremendous loss for the entire State of New Mexico.

Like so many in New Mexico, I will be forever grateful for the opportunities I had to spend time with Dr. Trujillo and learn from her. She was a tireless advocate for education whose enthusiasm for learning was truly infectious. I am especially appreciative for how much she advocated for all students to have access to outstanding education in science, technology, engineering, and mathematics.

Dr. Trujillo served for more than 25 years as an educator. She began her career in the classroom as a math teacher at Las Cruces High School and went on to teach at Cobre High School in Bayard, Hot Springs High School in Truth or Consequences, and at Alma d'Arte Charter High School in Las Cruces. She also served in many education leadership roles, including principal at Las Cruces Catholic School, associate dean of research at New Mexico State University's School of Education, New Mexico secretary of public education, and superintendent of Las Cruces Public Schools.

Dr. Trujillo's legacy will be felt for years not only in all the students she inspired but in classrooms across our State led by educators whom she mentored and led. At NMSU, she directed K-12 outreach for the Alliance for the Advancement of Teaching and Learning and started the Southwest Outreach Academic Research Lab and Educators Rising NM, an organization that recruits high school students for careers in teaching.

Dr. Trujillo was proud of her deep New Mexico roots and her close-knit

family. After early years growing up in Santa Fe, she and her family resettled in Las Cruces, where she graduated from Mayfield High School and received her bachelor's, master's, and doctorate degrees from New Mexico State University. Her father Gilbert set a positive example of public service for her as a longtime Doña Ana County commissioner.

Even while she took on leadership roles throughout the State, Karen could often be found with her family at the Hatch Valley High School gymnasium, where her husband Ben is the athletic director, her older daughter is a basketball coach, and her younger daughter played for the team. She often took on duties as the basketball announcer.

I am keeping Ben, their kids, Taralyn, Tim and Tavyn, the Trujillo and Apodaca families, as well as all of the New Mexicans who are grieving this devastating loss, in my thoughts.●

MESSAGE FROM THE HOUSE

At 3:02 p.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 6. An act to authorize the cancellation of removal and adjustment of status of certain aliens, and for other purposes.

H.R. 1112. An act to require a report on the military coup in Burma, and for other purposes.

H.R. 1603. An act to amend the Immigration and Nationality Act to provide for terms and conditions for nonimmigrant workers performing agricultural labor or services, and for other purposes.

H.R. 1868. An act to prevent across-the-board direct spending cuts, and for other purposes.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 1276) to authorize the Secretary of Veterans Affairs to furnish COVID-19 vaccines to certain individuals, and for other purposes.

The message further announced that pursuant to 15 U.S.C. 1024(a), and the order of the House of January 4, 2021, the Speaker appoints the following Member on the part of the House of Representatives to the Joint Economic Committee: Mr. ARRINGTON of Texas, to rank after Ms. HERRERA BEUTLER of Washington.

ENROLLED BILLS SIGNED

The message also announced that the Speaker has signed the following enrolled bills:

S. 579. An act to make a technical correction to the ALS Disability Insurance Access Act of 2019.

H.R. 1276. An act to authorize the Secretary of Veterans Affairs to furnish COVID-19 vaccines to certain individuals, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. LEAHY).

MEASURES READ THE FIRST TIME

The following joint resolution was read the first time:

H.J. Res. 17. Joint resolution removing the deadline for the ratification of the equal rights amendment.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, March 22, 2021, she had presented to the President of the United States the following enrolled bill:

S. 579. An act to make a technical correction to the ALS Disability Insurance Access Act of 2019.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. CANTWELL (for herself, Mr. BLUMENTHAL, Mr. BOOKER, Mr. CARDIN, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. HIRONO, Mr. LEAHY, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mrs. MURRAY, Mr. REED, Ms. ROSEN, Mr. SANDERS, Ms. SMITH, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 877. A bill to provide lasting protection for inventoried roadless areas within the National Forest System; to the Committee on Energy and Natural Resources.

By Mr. LEAHY (for himself, Ms. COLLINS, and Mr. DURBIN):

S. 878. A bill to increase public safety by punishing and deterring firearms trafficking; to the Committee on the Judiciary.

By Mr. COONS (for himself and Mr. CORNYN):

S. 879. A bill to authorize the Secretary of Education to make grants to support educational programs in civics and history, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself, Mr. GRASSLEY, Mr. LEAHY, and Ms. COLLINS):

S. 880. A bill to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal employment discrimination and retaliation claims, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORNYN:

S. 881. A bill to amend the Internal Revenue Code of 1986 to increase the national limitation amount for qualified highway or surface freight transfer facility bonds; to the Committee on Finance.

By Mr. LEE (for himself, Mrs. BLACKBURN, Mr. BRAUN, and Mr. PAUL):

S. 882. A bill to amend the National Labor Relations Act to modify the authority for the National Labor Relations Board with respect to rulemaking, issuance of complaints, and authority over unfair labor practices; to the Committee on Health, Education, Labor, and Pensions.

By Ms. COLLINS (for herself, Mr. TESTER, Mrs. CAPITO, and Ms. BALDWIN):

S. 883. A bill to modify the Federal TRIO programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEE (for himself, Mrs. BLACKBURN, Mr. TUBERVILLE, and Ms. ERNST):

S. 884. A bill to close loopholes in the immigration laws that serve as incentives to

aliens to attempt to enter the United States unlawfully, and for other purposes; to the Committee on the Judiciary.

By Ms. COLLINS (for herself, Ms. HASSAN, Mr. CORNYN, and Ms. SMITH):

S. 885. A bill to establish a rural postsecondary and economic development grant program; to the Committee on Health, Education, Labor, and Pensions.

By Ms. COLLINS (for herself and Ms. SINEMA):

S. 886. A bill to establish a National Child Abuse Hotline; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MORAN (for himself and Mr. TESTER):

S. 887. A bill make certain improvements relating to the supply chain of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BOOKER (for himself, Ms. HIRONO, Mr. BROWN, Mr. COONS, Ms. WARREN, Mr. MARKEY, Ms. BALDWIN, Ms. SMITH, Mr. MURPHY, Mr. PADILLA, Mr. VAN HOLLEN, Mr. DURBIN, Ms. STABENOW, Mr. CARDIN, Mr. BLUMENTHAL, Mr. MENENDEZ, Ms. DUCKWORTH, Mr. SANDERS, and Mr. WARNOCK):

S. 888. A bill to prohibit discrimination based on an individual's texture or style of hair; to the Committee on the Judiciary.

By Ms. KLOBUCHAR (for herself, Mr. PORTMAN, Mr. KING, and Mr. MANCHIN):

S. 889. A bill to require the use of prescription drug monitoring programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRUZ:

S. 890. A bill to amend the Immigration and Nationality Act to increase penalties for individuals who illegally reenter the United States after being removed, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCHUMER:

S. Res. 127. A resolution electing Karen H. Gibson as Sergeant at Arms and Doorkeeper of the Senate; considered and agreed to.

By Mr. SCHUMER:

S. Res. 128. A resolution notifying the House of Representatives of the election of a Sergeant at Arms and Doorkeeper of the Senate; considered and agreed to.

By Mr. SCHUMER:

S. Res. 129. A resolution notifying the President of the United States of the election of a Sergeant at Arms and Doorkeeper of the Senate; considered and agreed to.

ADDITIONAL COSPONSORS

S. 65

At the request of Mr. RUBIO, the names of the Senator from Louisiana (Mr. CASSIDY) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 65, a bill to ensure that goods made with forced labor in the Xinjiang Uyghur Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes.

S. 346

At the request of Mr. BOOKER, the name of the Senator from Hawaii (Mr.

SCHATZ) was added as a cosponsor of S. 346, a bill to end preventable maternal mortality and severe maternal morbidity in the United States and close disparities in maternal health outcomes, and for other purposes.

S. 377

At the request of Mr. COTTON, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 377, a bill to promote and protect from discrimination living organ donors.

S. 400

At the request of Mr. WICKER, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 400, a bill to designate the headquarters building of the Department of Transportation located at 1200 New Jersey Avenue, SE, in Washington, DC, as the "William T. Coleman, Jr., Federal Building".

S. 452

At the request of Ms. STABENOW, the names of the Senator from Florida (Mr. RUBIO) and the Senator from Arizona (Ms. SINEMA) were added as cosponsors of S. 452, a bill to award a Congressional Gold Medal to Willie O'Ree, in recognition of his extraordinary contributions and commitment to hockey, inclusion, and recreational opportunity.

S. 473

At the request of Mr. DURBIN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 473, a bill to amend the CARES Act to extend the sunset for the definition of a small business debtor, and for other purposes.

S. 479

At the request of Mr. WICKER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 479, a bill to amend the Internal Revenue Code of 1986 to reinstate advance refunding bonds.

S. 488

At the request of Mr. HAGERTY, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 488, a bill to provide for congressional review of actions to terminate or waive sanctions imposed with respect to Iran.

S. 611

At the request of Mr. DURBIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 611, a bill to deposit certain funds into the Crime Victims Fund, to waive matching requirements, and for other purposes.

S. 677

At the request of Mr. LEE, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 677, a bill to require annual reports on allied contributions to the common defense, and for other purposes.

S. 707

At the request of Mr. WICKER, the name of the Senator from Louisiana

(Mr. CASSIDY) was added as a cosponsor of S. 707, a bill to require a certain percentage of natural gas and crude oil exports be transported on United States-built and United States-flag vessels, and for other purposes.

S. 723

At the request of Ms. COLLINS, the names of the Senator from North Carolina (Mr. TILLIS), the Senator from Georgia (Mr. OSOFF), the Senator from West Virginia (Mrs. CAPITO), the Senator from Oregon (Mr. MERKLEY), the Senator from New Mexico (Mr. HEINRICH) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 723, a bill to amend the Small Business Act and the CARES Act to extend the covered period for the paycheck protection program, and for other purposes.

S. 730

At the request of Mr. BRAUN, the names of the Senator from Texas (Mr. CRUZ), the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Iowa (Ms. ERNST) were added as cosponsors of S. 730, a bill to amend title VI of the Social Security Act to remove the prohibition on States and territories against lowering their taxes.

S. 736

At the request of Mrs. FEINSTEIN, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of S. 736, a bill to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes.

S. 743

At the request of Mr. CRAPO, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of S. 743, a bill to amend title VI of the Social Security Act to remove the prohibition on States and territories against lowering their taxes.

S. 754

At the request of Ms. BALDWIN, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of S. 754, a bill to provide health insurance benefits for outpatient and inpatient items and services related to the diagnosis and treatment of a congenital anomaly or birth defect.

S. 758

At the request of Mr. BARRASSO, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 758, a bill to support financing of affordable and reliable energy projects by international financial institutions, and for other purposes.

S. 774

At the request of Mr. TILLIS, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 774, a bill to amend title 18, United States Code, to punish criminal offenses targeting law enforcement officers, and for other purposes.

S. 788

At the request of Mr. MARSHALL, the name of the Senator from Louisiana

(Mr. CASSIDY) was added as a cosponsor of S. 788, a bill to amend the Internal Revenue Code of 1986 to establish a nonrefundable tax credit for the purchase of gun safes and gun safety courses.

S. 815

At the request of Mr. RUBIO, the name of the Senator from Kansas (Mr. MARSHALL) was added as a cosponsor of S. 815, a bill to amend the Small Business Act and the CARES Act to extend the covered period for the paycheck protection program, and for other purposes.

S. 833

At the request of Ms. KLOBUCHAR, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 833, a bill to amend XVIII of the Social Security Act to allow the Secretary of Health and Human Services to negotiate fair prescription drug prices under part D of the Medicare program.

S. 864

At the request of Mr. KAINE, the names of the Senator from Virginia (Mr. WARNER) and the Senator from Montana (Mr. DAINES) were added as cosponsors of S. 864, a bill to extend Federal Pell Grant eligibility of certain short-term programs.

S.J. RES. 3

At the request of Mr. CRUZ, the names of the Senator from Montana (Mr. DAINES), the Senator from Kentucky (Mr. PAUL) and the Senator from Missouri (Mr. HAWLEY) were added as cosponsors of S.J. Res. 3, a joint resolution proposing an amendment to the Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve.

S.J. RES. 10

At the request of Mr. KAINE, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from New Mexico (Mr. LUJÁN) were added as cosponsors of S.J. Res. 10, a joint resolution to repeal the authorizations for use of military force against Iraq, and for other purposes.

S. RES. 99

At the request of Mr. MENENDEZ, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. Res. 99, a resolution observing the 10th anniversary of the uprising in Syria.

S. RES. 126

At the request of Mr. RUBIO, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. Res. 126, a resolution condemning the crackdown by the Government of the People's Republic of China and the Chinese Communist Party in Hong Kong, including the arrests of pro-democracy activists and repeated violations of the obligations of that Government undertaken in the Sino-British Joint Declaration of 1984 and the Hong Kong Basic Law.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION

By Ms. COLLINS (for herself, Mr. TESTER, Mrs. CAPITO, and Ms. BALDWIN):

S. 883. A bill to modify the Federal TRIO programs; to the Committee on Health, Education, Labor, and Pensions.

Ms. COLLINS. Mr. President, helping students achieve their education and career goals has long been a priority for me. I come to the floor today to introduce two bipartisan bills. Both are aimed at helping students pursue higher education, complete their degrees, and have satisfying work lives.

Prior to my election to the Senate, I worked at Husson University in Bangor, ME. Many of Husson's students, for the most part, are first-generation college students. They are the first in their families to take that step of pursuing higher education.

I saw firsthand the importance of several Federal initiatives: Pell grants, work study, and TRIO—programs that are specifically aimed at students whose families have little or no experience at all with higher education.

The first bill that I am introducing today is the Educational Opportunity and Success Act. It would reauthorize and strengthen the Federal TRIO Programs.

I have been a longtime champion of TRIO. It helps students prepare for, succeed in, and graduate from college or other institutions of higher learning. I would like to thank Senators TESTER, CAPITO, and BALDWIN for joining me as original cosponsors.

Congress created the TRIO Programs because it recognized that low-income, first-generation college students often face significant obstacles to accessing and completing higher education. Our bipartisan bill would reauthorize these programs, modestly increase grant sizes, and make it easier for administrators to reach students who would benefit from TRIO.

The bill also updates the way that the programs are evaluated and streamlines the application process. The bill would also increase the small stipend for Upward Bound students. Upward Bound is one of the TRIO Programs. These stipends make their college visits more accessible. These visits are often the first time that these young people have experienced a college campus. And it would create a new stipend for veterans participating in the Veterans Upward Bound Program.

The Educational Opportunity and Success Act would also institute a commonsense process for correcting TRIO applications that have minor errors.

Now, let me give you a concrete example. In 2017, the Department of Education initially rejected dozens of Upward Bound applications based on arbitrary, nonsubstantive formatting criteria, such as line spacing or font size irregularities. The Department lost sight of the goal of serving students

and instead focused on whether the formatting criteria were followed exactly correctly.

One of these applications was from the University of Maine at Presque Isle. It had used 1½ spacing instead of double spacing in text appearing in graphics in just two of the application's 65 pages.

Imagine that the application was not considered on its merits at all because of a spacing error that accompanied graphics on 2 pages of a 65-page application. The Department's bureaucratic decision would have denied 960 disadvantaged Maine high school students from the chance of fulfilling their academic potential.

After many months of advocacy, I worked with the Department of Education. I kept pressing the Department. And I worked with my Appropriations colleagues to reverse this ill-conceived policy. But it took Federal legislation to move the Department from its bureaucratic decision, which affected potentially 960 students in northern Maine. It affected students that were in other high schools as well across this country. I remember Montana was one of those that was affected.

The University of Maine at Presque Isle ultimately received its TRIO grant to serve those students. The bill that we are introducing today would prevent the Department of Education from rejecting applications simply on the basis of formatting criteria. This is a commonsense reform that will prevent unnecessary bureaucratic obstacles in the future. We should be making sure that Federal funds get out the door efficiently and focus on the students they are meant to serve.

I have met so many Maine TRIO students and have loved learning about their dreams for the future. One of them is a priest who serves in Skowhegan, ME. Neither of his parents went beyond the eighth grade. He, through the encouragement of the Upward Bound Program, went to Dartmouth and then on to the seminary and is now a priest.

Let me tell you about another outstanding individual, Jason Judd. Jason grew up in Athens, ME, a very small community. Jason said: I knew that education was the only way I could escape poverty. Upward Bound taught me how to be successful in education and encouraged me to pursue my passions.

Jason is a first-generation college graduate. With the support of Upward Bound, he went to the University of Maine at Farmington and earned his bachelor's degree. He chose to go into school administration. He received his master's degree from the University of Southern Maine in educational leadership and earned his doctorate from Northeastern University in organizational leadership studies.

Now, Jason is the executive director of Educate Maine, where he works to improve education in our State. TRIO put him on the path to success. And now Jason supports students just like

himself across the State of Maine, a real success story that TRIO helped make possible.

The TRIO Programs have changed the lives of first-generation students across Maine and the country, opening the doors to the opportunities provided by higher education. I would ask all of my colleagues to support this important legislation to extend and improve the TRIO Programs.

By Ms. COLLINS (for herself, Ms. HASSAN, Mr. CORNYN, and Ms. SMITH):

S. 885. A bill to establish a rural postsecondary and economic development grant program; to the Committee on Health, Education, Labor, and Pensions.

Ms. COLLINS. Mr. President, the second bill I am introducing today is the Success for Rural Students and Communities Act. This bill would help students living in rural areas achieve their higher education goals and connect them with economic opportunities in their communities. I want to thank Senators HASSAN, CORNYN, and SMITH for introducing this legislation with me.

According to census data, two out of three Maine schools are in rural communities, and more than half of Maine students attend these schools. Ninety percent of Maine's students graduate from high school. That is great. But only 62 percent enroll in some kind of higher education right away. Unfortunately, an even lower percentage of Maine students go on to actually earn a degree or a credential. That often leaves them with student debts but without the credential or degree that they need.

Maine's experience is not unique. Rural students tend to graduate from high school at higher rates than their peers in urban districts and at about the same rate as their suburban peers, but fewer rural graduates enroll in college upon graduation than their urban and suburban counterparts. Our bill would authorize \$60 million for demonstration grants to create community partnerships that help rural students access college and career pathways.

Community stakeholders, such as local school districts, colleges, universities, regional economic development entities and community organizations, would join together to help students and their families navigate higher education opportunities and address barriers that too often stand in the way to their achievement.

For example, partnerships could work together to expose students to college campuses, courses, programs, and internships. They could focus on enrollment and completion rates of rural, nontraditional students, who may find that they need additional credentials or who once began but did not finish postsecondary education.

Today, as you well know, many of the employers require something more than a high school diploma—perhaps a

college degree, a skilled trade credential, or a professional certificate. Our bill would encourage schools and local employers to work together to put students on pathways into the high-demand jobs available where they want to live. Several strategies could be developed and tested, including work-based learning opportunities like apprenticeships, internships, and a sequence of courses on the path to a certain skill or job.

In northern Maine, the Aroostook Aspirations Initiative is using this model successfully to help put students on pathways to academic and career success. The initiative collaborates with local businesses and with colleges and universities to offer seminars that guide students throughout their education. Students can team up with employers in the area through internships that give them the experience and the careers they wish to pursue.

Last year, I met, from Aroostook County, a student named Katelyn Amero, who came to Washington to talk about her career goals. Katelyn hopes to pursue a career in medicine. In 2019, Katelyn participated in the Emerging Rural Leaders program at the University of Chicago, which provides opportunities for rural high school students to enroll in college courses over the summer months. That program has helped put her on the path to becoming a physician.

The Success for Rural Students and Communities Act would support dynamic programs such as the Emerging Rural Leaders program and the Aroostook Aspirations Initiative. It would encourage other communities to innovate in similar ways.

Both bills I am introducing today would provide critical support for students across the country who are seeking to achieve their college and career dreams. I urge my colleagues to support both of these bills.

By Ms. COLLINS (for herself and Ms. SINEMA):

S. 886. A bill to establish a National Child Abuse Hotline; to the Committee on Health, Education, Labor, and Pensions.

Mrs. COLLINS. Mr. President, I rise today to join my colleague from Arizona, Senator SINEMA, in introducing legislation to support the ongoing operation of the national child abuse hotline, which is currently operated by Childhelp, a national non-profit. Of all the major national help hotlines, the crisis line for child abuse and neglect is the only one without a Federal authorization and dedicated funding. Our bill, the National Child Abuse Help Hotline Act of 2021, would give the Administration for Children and Families the authority to award funding to increase Federal support for this important hotline.

Tragically, on average, five children die every day from child abuse and neglect. According to the most recent Department of Health and Human Serv-

ices' Child Maltreatment Report, 656,000 children were victims of child abuse and neglect in 2019, and a heartbreaking 1,770 children died—including three young children in Maine. The many stresses created by the COVID-19 pandemic have exacerbated the risks for vulnerable children, and I fear that the data from 2020 and 2021 will show a worsening crisis.

According to the CDC, "heightened stress, school closures, loss of income, and social isolation resulting from . . . the COVID-19 pandemic have increased the risk for child abuse and neglect." As Michelle Fingerman of Childhelp, the current operator of the Childhelp National Child Abuse Hotline, details: "There is a wide range of fallout from pandemic anxiety and school shutdowns. There is more abuse already occurring in homes where caregivers are melting down from the stress, children are trapped at home with abusers, schools and daycare are closed, and therapists and other front-line providers are now more difficult to access."

Despite these risks, official reports to child protection agencies have declined across the country, in some places by as much as seventy percent. But, fewer official reports does not mean abuse and neglect are on the decline. To the contrary, less in-person contact between children and mandated reporters like teachers, physicians, and coaches is one explanation for this reporting decline. Additionally, while the number of emergency department visits related to child abuse and neglect decreased in 2020, the percentage of visits severe enough to require hospitalization increased. Better access to prevention and intervention services can help stop these troubling trends.

The Childhelp National Child Abuse Hotline is a resource that is accessible to children and families across the country, especially while many children are still not attending school in person full-time. A simple phone call or text to the hotline at 1-800-4-A-Child can connect people with those who can come to a child's aid before the unimaginable occurs. The hotline saw 11,573 contacts in May 2020, which is more than 40 percent higher than during May 2019. Childhelp's text and online chat platforms also experienced a significant volume increase last year. For the past few years, Congress has appropriated \$1 million to pilot these platforms, and our legislation would help the grantee chosen by ACF expand its reach to more children and families.

The helpline serves a wide range of individuals in every single state—at-risk children, distressed parents seeking crisis intervention, and concerned individuals who suspect that child abuse may be occurring. In Maine, where one in every 71 children is a victim of abuse, the National Child Abuse Hotline assisted nearly 200 callers in 2019. Those in need are connected—either on the phone, text, or online

chat—with social workers who can offer confidential crisis intervention, information, and referrals to emergency, social service, and support resources.

The National Child Abuse Help Hotline Act would provide a meaningful Federal investment to protect children across the country, authorizing \$2 million annually for the Administration for Children and Families (ACF) to award a grant to a nonprofit entity to support a 24-hour, national, toll-free telephone hotline. That hotline will get information and assistance to victims of child abuse or neglect, parents, caregivers, mandated reporters, and other concerned community members. This will not interfere with any state-mandated reporter hotlines and will bolster those state efforts. In fact, the current operator has more than 80 community partners in just Maine alone.

Mr. President, child abuse is preventable, and the helpline's prevention and intervention activities are both successful and well-documented. Consistent Federal support for the National Child Abuse Hotline will improve our ability to reach children of all ages, as well as parents or caregivers, during the pandemic and beyond. I urge my colleagues to support the adoption of this important legislation that could save lives.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 127—ELECTING KAREN H. GIBSON AS SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

Mr. SCHUMER submitted the following resolution; which was considered and agreed to:

S. RES. 127

Resolved, That Karen H. Gibson of Bozeman, Montana be, and she is hereby, elected Sergeant at Arms and Doorkeeper of the Senate.

SENATE RESOLUTION 128—NOTIFYING THE HOUSE OF REPRESENTATIVES OF THE ELECTION OF A SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

Mr. SCHUMER submitted the following resolution; which was considered and agreed to:

S. RES. 128

Resolved, That the House of Representatives be notified of the election of the Honorable Karen H. Gibson as Sergeant at Arms and Doorkeeper of the Senate.

SENATE RESOLUTION 129—NOTIFYING THE PRESIDENT OF THE UNITED STATES OF THE ELECTION OF A SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

Mr. SCHUMER submitted the following resolution; which was considered and agreed to:

S. RES. 129

Resolved, That the President of the United States be notified of the election of the Honorable Karen H. Gibson as Sergeant at Arms and Doorkeeper of the Senate.

AUTHORITY FOR COMMITTEES TO MEET

Mr. SCHUMER. Mr. President, I have a request for one committee to meet during today's session of the Senate. It has the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committee is authorized to meet during today's session of the Senate:

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Monday, March 22, 2021, at 6 p.m., to conduct a closed hearing.

PRIVILEGES OF THE FLOOR

Mr. GRASSLEY. I ask unanimous consent that my Judiciary Committee detailee, Joseph Routh, be given privileges of the floor for the remainder of the 117th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE READ THE FIRST TIME—H.J. RES. 17

Mr. SCHUMER. Mr. President, I understand there is a joint resolution at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the joint resolution by title for the first time.

The senior assistant bill clerk read as follows:

A joint resolution (H.J. Res. 17) removing the deadline for the ratification of the equal rights amendment.

Mr. SCHUMER. Mr. President, I now ask for a second reading, and in order to place the joint resolution on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The joint resolution will be read for the second time on the next legislative day.

ORDERS FOR TUESDAY, MARCH 23, 2021

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, March 23; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the

nomination of Shalanda Young to be the Deputy Director of OMB; further, that the cloture motions filed during Thursday's session of the Senate ripen at 11:45 a.m., and if cloture is invoked on the Young nomination, all postcloture time expire at 2:15 p.m.; finally, that the Senate recess following the cloture vote on the Young nomination until 2:15 p.m. to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. For the information of Senators, we expect to have four rollcall votes during Tuesday's session of the Senate in relation to the Young and Murthy nominations.

ORDER FOR ADJOURNMENT

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order following the remarks of Senator PORTMAN.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Ohio.

IMMIGRATION

Mr. PORTMAN. Mr. President, I thank the majority leader, and I thank the Presiding Officer for allowing me to speak this evening.

I just returned from the southern border and want to give a brief report and talk about some potential ways forward to deal with what is happening on the Mexican border. I went with Secretary of Homeland Security Mayorkas and also with the chair of the Homeland Security Committee, my colleague from Michigan, and also with my colleague from West Virginia and my colleague from Connecticut, who are the chairs and ranking members of the Senate Homeland Security Appropriations Committee. We had a bipartisan group and those of us who were involved on the authorizing side and on the appropriations side.

You probably heard that the situation is bad, and it is. There is a record number of unaccompanied children coming to our border today, being let in, and ending up in Border Patrol detention facilities.

Just yesterday, CBP reported that there were more than 15,500 unaccompanied kids in Federal custody. That is a record. But it is not just children. More than 100,000 migrants were apprehended in February alone. This is a 15-year record, representing a 28-percent increase just since January. All the numbers from March look even higher. We won't know the final numbers for another couple of weeks, but the point is, it is getting worse, not better.

These numbers, by the way, are worse than the previous two surges at our southern border—both the 2014 surge, we all remember, during the Obama administration and the 2019 surge during the Trump administration. And, by the way, we have yet to

reach the predicted peak because that normally would happen in April and May. In fact, the Secretary of Homeland Security, Alejandro Mayorkas, who was with us on this trip, said that he believes this will be the worst year in 20 years for unlawful entry into the United States.

However, the numbers only tell part of the story. This is also a humanitarian crisis. Migrants often face violence, sickness, and tough terrain on their dangerous journey north—predominantly, those from the Northern Triangle countries of Guatemala, Honduras, El Salvador. Many are abused by the smugglers who charge them large amounts of money and bring them.

Unfortunately, this is a crisis that could have been avoided. On day one, the Biden administration issued five Executive orders to overturn Trump policies and since has taken more than a half dozen additional actions to dismantle policies from the previous administration.

These included a 100-day pause on all deportations; no longer using the COVID-19 healthcare emergency under title 42 of the United States Code to turn away unaccompanied children and some families; suspending the construction of the border fence and technologies, such as sensors and scanners used by the Trump administration to help our overworked Border Patrol agents secure key stretches of our southern border; and abandoning the migrant protection protocols, also known as “Remain in Mexico,” which required some asylum seekers at the southern border to remain in Mexico rather than in the United States while their claim for asylum is being processed; and, of course, proposing an amnesty bill on day one.

The administration has every right to do that, but it creates a disincentive to push back on new migrants coming in who are trying to get into the United States before that amnesty might become law. It certainly does unless you also make it clear that you don't qualify for amnesty unless you are already here. And I think that is an important message that I hope will be part of any future discussions about any kind of an amnesty bill so it doesn't encourage more people to come.

The Biden administration took these and other actions that incentivize people to head north but then said: Please don't come yet. We are not ready for you.

It was no surprise that didn't work. An unprecedented number of children and families came to take advantage of the new policies. As I heard on the southern border over the last few days, actions speak louder than words. And the actions of the new administration were clear.

These abrupt moves to dismantle the immigration policies that were working to provide a disincentive for unlawful migrations hit the green light to a lot of people seeking a better life, but

it also gave the smugglers and the human trafficking groups in the Northern Triangle and in Mexico the ability to convince more families and more children to take the dangerous trip north. It gave them a narrative, and, of course, they used it to their full advantage. That has overwhelmed Border Patrol and our immigration system, in general, unequipped to handle the surge.

I heard directly from Border Patrol agents about how the current surge of unaccompanied kids is draining resources and endangering not just those vulnerable kids but the security of our own border.

It was stunning to see people who unlawfully crossed the border during a ride-along patrol I joined on Thursday night. People just kept coming. The Border Patrol told me they are seeing an increase of about 150 to 200 percent of illegal entries in the El Paso sector, with many illegal crossers escaping into the United States because they have not apprehended them.

Just as concerning, they told me unaccompanied children and families are being used by the smugglers as a distraction so the smugglers can more easily move dangerous and illicit substances across the border into our communities.

While the Border Patrol is busy processing the kids and the families, which takes a while, the smugglers move. In fact, Customs and Border Protection has reported an increase of 360 percent in seizures of the deadly synthetic opioid fentanyl, which is 50 times deadlier than heroin.

There is no question that more of this is now coming across the border. It is already resulting in a surge of overdose deaths, by the way, over the past year during the COVID-19 pandemic. In my home State of Ohio and around the country, it looks like, sadly, we are in for a record year of overdose and overdose deaths, primarily from fentanyl and fentanyl being mixed with other drugs.

Fentanyl used to come from China directly, mostly through our mail system. Now, increasingly, it is coming from Mexico, since we passed legislation here to stop it coming through our mail system.

Down at the border, I also had the opportunity to visit with the facilities where they are currently holding unaccompanied kids. These children are being kept in tightly packed facilities, supervised by overworked Border Patrol agents, law enforcement, who should be out in the field.

Due to a lack of space for children in the Department of Health and Human Services facilities, Border Patrol is having to detain unaccompanied kids for an average of about 137 hours, nearly double the 72-hour limit required by law.

I am concerned about the well-being of these kids, as we all are, because when the system gets overwhelmed, people, and especially the kids, suffer.

And the processing system right now is overwhelmed; it is overcrowded; it is irresponsible. It is a situation you would never want your own children to be in. Not only are these children crammed into the facilities that are, by their own rules and regulations, overcrowded, there is no testing for COVID-19 in these facilities. Current policy is going to result in tens of thousands more children being released into our communities, waiting for their immigration court cases.

During previous surges at the border that overwhelmed our immigration system, HHS stopped doing background checks on sponsors for unaccompanied kids, and many fell into the custody of abusive human traffickers. In 2014, for example, HHS placed Guatemalan children with criminals who put the children into forced labor on an egg farm in my home State of Ohio, where they were forced to live and work in squalid conditions.

It is an issue I have worked a long time on. Between 2015 and to 2020, as chair of the Permanent Subcommittee on Investigations, I led three bipartisan reports and hearings across two administrations that found repeated failures by the Federal Government to ensure the well-being of these vulnerable children once they were handed off to sponsors, as well as the fundamental refusal by HHS to accept that they were responsible for the welfare of these kids they placed with adults who are not their legal parent or guardian.

Obviously, we are going to see a lot more pressure to get these kids out to as many sponsors as quickly as possible, and, again, I believe we are going to have some of these problems.

Last week, I introduced bipartisan legislation called the Responsibility for Unaccompanied Minors Act that will direct the Federal Government to meet the stringent requirements necessary to ensure children are not abused or exploited by their sponsors; that they show up for their asylum hearings to determine their eligibility to stay in the United States. These are necessary steps to address the current crisis at our border and safeguard these children.

By the way, on the debate as to whether to call the chaos at the border a crisis or not, when I was on the border talking to Border Patrol agents, one of them told me, although he believes it is a crisis, that he is fine not calling it a crisis now because he knows it is going to get much worse, and he wants to have something to call it then. He wants to see, like all Americans, concrete actions and a change of course at the border, much more than having a debate about words. By the way, we should all sympathize with those migrants who want a better life for their families. I sympathize with them. I am sure we all do.

There are millions of people around the world who want to come to our country. We have a legal immigration system that accepts a million people a

year. In addition to that, we accept refugees and those who apply for asylum. At the end of the day, those individuals coming to our southern border right now are making a rational choice to come to the border based on policy decisions by the Biden administration. What we need is a legal, orderly, and proper system to be sure the people follow the rules.

The bottom line is, what I saw at the border is unsustainable, and, unfortunately, it is going to get worse. We are working against the clock to try to find a way forward.

When the Biden administration changed the rules and dismantled the existing provisions that were keeping people from coming across the border, they could have put their own policies in place to try to deal with what everybody predicted was a surge that was coming. They didn't. More to the point, even if they weren't going to put their own policies in place, they should surely have waited until they had the facilities ready to handle the surge. They didn't. That is why you see this terrible overcrowding at Border Patrol detention facilities, holding these kids much longer than they should, and why you see HHS not having the beds prepared that they should have.

By the way, some have said the Trump administration dismantled the asylum system. Well, because of the rules they had in place, there were very few people coming to apply for asylum. The facility I saw, which was a modern facility built just last year with \$48 million of our taxpayer money, was built to try to deal with the next surge. Unfortunately, it is not big enough, and, again, it is overcrowded, so you have kids sleeping on the floor on thin foam mattresses with only a space blanket. None of them have been checked for COVID. They are living not 6 feet apart, as we are required to do here with social distancing, but inches apart and together.

It is one thing to say we are going to change all these policies. It is another thing to say we are not going to put anything in its place or because that is OK—we are OK to have a surge come—at least to be prepared for that surge, and that is not what is happening.

I believe there is a path forward for the Biden administration and the Congress to address this crisis in the short term; then work on medium- and long-term solutions to lower the risk of future surges.

Here is what I would propose. First and foremost, the Biden administration should recommit to enforcing our immigration laws by providing overwhelmed Border Patrol agents and our Immigration and Customs the help they need to be able to ensure they can get what they need to be able to enforce the law. That means better pay for our Border Patrol. It also means better overtime provisions. We have legislation to do that.

It also means ensuring that they have the tools they need to be able to

protect the country. That means not stopping construction of the fence, which, by the way, is almost done. In the El Paso sector, I think there is 150 miles of fence totally—in total, 124 miles is already done. The parts that are not done, unfortunately, are some of the gates, so you have gaps. Border Patrol are very frustrated by this because they literally have to have people at the gaps because they can't monitor them as they can with the fence because with the fence, it takes people a while to get over the fence. With monitoring devices, which are, to me, more important even than the fence itself, they are able to do their jobs.

They are also being told they can't continue the technology, so although there is 124 miles of fencing, there is much less technology than that. Yet they have been stopped from doing that as well.

Let's give them what they need to be able to do their jobs. They are in an impossible situation. I am not talking about a new fence or a new wall, but at least for the part that has already been appropriated by Congress, let's complete it. Let's not leave these gaps.

I literally saw the supplies they have. Construction material is on the ground, and the Border Patrol agents told me—these are rank-and-file Border Patrol agents: This is bad for morale. We see this stuff right there. If that could be put up to take the place of the temporary fencing migrants are able to simply push over or walk through, that would make our jobs much easier.

No. 2, the asylum system needs to be changed immediately. Now, with a backlog of 1.2 million asylum seekers, they are waiting several years for court hearings to find out if they are qualified. During that time, they are living in the United States and often vanishing into the United States. We know from the data we have—and, by the way, the data is not very good on this—that only about half of them, maybe more or maybe less, are even showing up for their court cases. We know this because, for about 48 percent of those who are seeking asylum, there are now removal orders out for them for not showing up for their hearings. So about half of them have removal orders to be removed from the country because they haven't shown up for their hearings. Remember, this is a 1.2 million-person backlog, so it may be 3, 4, 5, 6 years before they get to their court cases. Is there any wonder some of these people are not showing up?

Finally, at the very end of the process, after you go through all the adjudication, guess what the percentage of success would be for someone to achieve an asylum status: only 15 percent—15 percent—have a successful claim. So people are being told to go into the country and await their court cases, and 1.2 million people are doing that. It takes several years for that to happen. At the end of the day, only 15 percent will get asylum.

Yet, again, many are not being removed even though there is a removal order out on them because the immigration system is overwhelmed, so they are focusing on those who have a criminal record, which I understand. This means, if you don't have a criminal record and you are in the United States, you know that it is unlikely you will actually be removed even if there is a removal order for you.

So one policy change would be to simply resume a practice that was started in the last administration as a pilot and ended in November 2020. It is called the Prompt Asylum Claim Review process. An efficient and timely determination of who is eligible for asylum and who is not would really help. It would enable us to start reducing the number of migrants being held in custody and deter migrants who do not have a valid claim.

You might say: Why not start with the 1.2 million backlog? That would be great. We should do that as well. We need more immigration judges. We need more lawyers involved in the process, on both sides, representing those who have the claim and representing the government. That would be good, but in the meantime, these rapid adjudications on the border with due process would have the effect of deterring the next migrant. Think about it. If you are just dealing with the last person on the list, the person who comes in most recently gets more of a deterrent than if you are dealing with the person who came in 4 or 5 years ago because they think: Well, if I get up there and make my claim and come into the United States and go out into one of the communities represented in this body, it will be 4 or 5 years before my court case comes up. Perhaps there will be amnesty during that period or something else or perhaps I will just stay.

If you come to the border and you seek amnesty—you seek asylum—your claim will be adjudicated immediately, and you may receive asylum or you may not. Again, 15 percent is the number now. That is the best number we have, and that is from 2019. We don't have the numbers from 2020 yet. Most think that is about what it will be.

I think this is a good system. I don't know why it was ended in the Trump administration back in November. It shouldn't have been. I hope the new administration will take it up.

As part of this, my colleagues from Texas and Arizona, Senator CORNYN and Senator SINEMA, have suggested we stand up multiple regional processing centers to rapidly and fairly conduct asylum cases in one location. I support that. I think this idea is consistent with what I am talking about to discourage illegal immigration and to ensure that we have a quick decision with regard to asylum. Have all the Federal Agencies together—Border Patrol, Customs and Border Protection, ICE, the Justice Department, HHS—everybody together in one place, and quickly

make these decisions so that people aren't held for a long period of time, so they can have the decision made.

I think it is worth the funding because it will be expensive. It will be expensive to hire the new immigration judges to have the system set up, but it is well worth it, in my view.

Third, to deal with the asylum process, the Biden administration should look at the new Migrant Protection Protocols or "Remain in Mexico" policy. "Remain in Mexico" allowed us to keep our detention center populations down in the United States and asylum seekers close to the immigration courts while officials sorted out the claims. Getting rid of the policy served only to overcrowd our temporary housing and sent a lot more people into the interior, awaiting a hearing by an immigration judge.

There are concerns about "Remain in Mexico" in terms of the conditions at some of the camps in Mexico. Although nongovernmental organizations play a substantial role there already, perhaps for those who are still in that process—and there are probably 45,000 people who are still in that process; there were initially maybe less, but, initially, there were about 75,000 people—a lot of people have just gone home because they don't want to remain in Mexico for their asylum claim. They would rather go back to their home in Northern Triangle countries—Guatemala, Honduras, El Salvador—but for those who are there, perhaps there should be more oversight of those camps and more Federal funding provided through the U.N. High Commissioner for Refugees, HCR, and others to ensure those conditions are better.

What the Biden administration is doing now is saying "We are going to stop the program," and they are bringing people over the border. I saw this, the processing center. About 350 or 450 people a day are leaving the "Remain in Mexico," the Migrant Protection Protocols Program, and coming into the United States. Those people are given the ability to come into the interior, so they are coming into communities in the United States.

One thing you would hope they would get would be a notice as they go through the processing that says: Here is your court date. You have to show up at this court date.

What we have learned in the last several days or what I learned down at the border is that they are not being given those court dates. They are given a piece of paper that has 24 ICE offices in the major metropolitan areas in America, and they are told: We don't know where you are going to end up. We don't know where you are going. You are welcome in the United States, but wherever you are going, please check into the ICE office in your region.

My hope is we can at least get a system together where we don't, again, dismantle a program until we have something in its place to ensure people are going to their court dates to be

able to have the asylum claims dealt with.

On my trip to the border, I asked a reporter to come with me to the border wall because I believe it is important that the public know what is going on. I was surprised to learn that was the first time this reporter or other reporters had been able to kind of see what was going on for quite a while. They haven't been able to come into any of the detention facilities, including the processing center I talked about earlier, where the kids are crammed into—100 kids crammed into 1 room. I think the press should be able to see that because I think that will provide more transparency for all of us.

My constituents don't know what is going on at the border, in part because the media haven't had that level of access. I know we have to protect the confidentiality of individual migrants, and I get that. I think that should be done. I think it can be done, but also by letting the media have that access, we would be able to have more transparency about the realities of what is going on along the border.

So, fourth, I think the Biden administration should invest in finishing the work on the fence, as I said, but they should also work to enact something that is even more important than a fence, and that is to relieve the magnet. This is going to involve Congress.

We did pass an immigration bill in this body with a strong provision called E-Verify several years ago. It basically says that for employers, there will be a sanction if you hire somebody who is not legal. The difference between E-Verify and some of the earlier programs that attempted to do that unsuccessfully is that E-Verify lets us use the new technologies we now have to ensure that fraudulent documents that are often used can be determined to be fraudulent. In other words, you can use technology—facial recognition and so on—to ensure that the employer knows for sure whether the person is legal or not.

Again, this requires some Federal funding. Some of that software for small businesses, in particular, may be expensive, but to have an E-Verify Program that says you mandatorily—by the way, it is not mandatory right now either. It doesn't have the technology. It is not mandatory. You have to make it mandatory and say: If you want to hire somebody, you have to run them through the system. Make it as easy as possible to use the technology.

In talking to the migrants I met—and my colleagues have spoken to many people who have come to this country, and I am sure they have had the same experience—when I asked them why they are coming here, they all have the same answer, basically, with slight variations, which is, as one guy told me from Guatemala, he can make 10 times as much money here. He cares about his family and their future. The economy is much better here, but that is because he knows he can get a

job probably with a document, either a driver's license or a Social Security card that will be fraudulent, but he can buy it for 25 bucks. So we need a system here to stop the magnet.

Don't put the Border Patrol and all of those involved—the immigration system is in such an impossible position that we have a wide-open system here where anybody can come and work.

Let's do E-Verify. That is more important to me than any other enforcement tool that we have. Federal Reserve economists found that States that mandate the use of E-Verify reduce the number of likely unauthorized immigrants who stay in that State. Of course it does.

Sixth—and this is the final one—the Biden administration should work with our Central American partners, including the Governments of Mexico, Guatemala, Honduras, and El Salvador, to discourage unlawful migration. They can do that by incentivizing migrants to apply for asylum in their countries of origin. Some have said this should be mandatory. To me, that seems to make sense. Maybe there is a reason it shouldn't be mandatory, but it certainly should be encouraged, and these countries should certainly offer this.

We should provide more aid to the countries of Central America because there is a push factor. Everything I have talked about so far is the pull factors, bringing them in. But if we do that, that aid ought to be conditioned on them helping us to provide people the ability to seek asylum in their own country. Where they have such a fear of persecution that they can't do it in their own country, they should be able to do it in a third country.

There was a program started in the Trump administration that never really got off the ground, and it was called Safe Third Country. The program with Guatemala was starting to work. Honduras and El Salvador had signed up, but it hadn't started to work yet. Mexico didn't provide it. But what it says basically is, if you cross through a third country, you have to seek asylum in that third country.

Specifically with Guatemala—as you know, you have to go through Guatemala coming from Honduras or El Salvador or Ecuador or elsewhere. Why not have the asylum claims done there? Again, due process, yes, but don't make people take this long and treacherous journey up to the southern border of the United States. Don't make them go through this process of the detention facilities and so on. Have them seek asylum in their own country or in other countries. That, to me, seems like it makes a lot of sense.

The Biden administration suspended the Safe Third Country program on February 6, shortly after the inauguration.

One program they would like to restart that I think makes sense is called the Central American Minors Program. They are going to restart that program

now, starting in March. This is a program where, during the Obama administration, if you had a family member, a parent—it had to be a parent or a guardian—in the United States legally, then you could come through this program called CAM, Central American Minors Program. I am glad they have restarted that program. That makes sense. I will tell you, over 5 years, only 3,500 kids were processed in that program. Again, your parent has to be in the United States legally. There are 3,500 kids coming across our border every 9 days right now. So the program is not going to solve all our problems, but it will help, and that is a good idea.

We need to take a hard look at all of this, at all of these pull factors we talked about and certainly at the push factors.

I will say that the Biden administration has proposed \$4 billion to go to these three countries—Guatemala, El Salvador, Honduras. As a Congress, we have appropriated and \$3.6 billion has been spent in the last 5 years in these three countries. So we have done almost that much in the last 5 years, and yet, because of the corruption, because of the lack of transparency, because of the lack of rule of law, the money has not been as effectively spent as it

should have been. So we have to be sure the money is conditioned upon reforms to actually improve the lives of the individuals in those countries. Despite the corruption, we need to cut through that and say: If you take this money, you have to commit to the reforms. Second, again, it should be contingent upon helping with our asylum system to be sure that we can deal with this surge that we are now facing.

If the Biden administration takes these six recommended actions I have laid out today, I believe we would move toward bringing a quicker end to this crisis on the border, and we would be able to secure our southern border with regard to the drugs that are coming over and other contraband and be able to say that we, together, worked on this.

I know this is a time where everybody is in their corner, the Republicans and Democrats, and it is impossible, it seems like, to make progress. But I think these are pretty sensible ideas, and the alternative is a bad one: that this is going to get worse. You will have more and more kids in detention centers. You will have more and more families released to communities in the United States where they don't come forward for their hearings. And it

is something that discourages people about our immigration system. It just doesn't seem to work. It is certainly not working on the border today.

So my hope is that these ideas or others—maybe others in this Chamber have better ideas, but hopefully they can be bipartisan, and we can get some of this stuff done and actually deal with the crisis we all know exists and we have a responsibility to face.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:50 p.m., adjourned until Tuesday, March 23, 2021, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate March 22, 2021:

DEPARTMENT OF LABOR

MARTIN JOSEPH WALSH, OF MASSACHUSETTS, TO BE SECRETARY OF LABOR.